

House Bill 819

By: Representatives Horne of the 71st, Bearden of the 68th, and Austin of the 10th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 16-11-130, relating to exemptions from prohibitions from carrying a concealed weapon, carrying an explosive compound, firearm, or knife at public gatherings, carrying weapons within a school safety zone, at school functions, or on school property, carrying a firearm or weapon at a nuclear power facility, and carrying a pistol without a license, so as to add to the persons so exempt any person in possession of a license to carry a firearm; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 16-11-130, relating to exemptions from prohibitions relating to carrying a concealed weapon, carrying an explosive compound, firearm, or knife at public gatherings, carrying weapons within a school safety zone, at school functions, or on school property, carrying a firearm or weapon at a nuclear power facility, and carrying a pistol without a license, is amended by revising subsection (a) as follows:

"(a) Code Sections 16-11-126 through 16-11-128 shall not apply to or affect any of the following persons if such persons are employed in the offices listed below or when authorized by federal or state law, regulations, or order:

(1) Peace officers, as such term is defined in paragraph (11) of Code Section 16-1-3, and retired peace officers so long as they remain certified whether employed by the state or a political subdivision of the state or another state or a political subdivision of another state but only if such other state provides a similar privilege for the peace officers of this state;

(2) Wardens, superintendents, and keepers of correctional institutions, jails, or other institutions for the detention of persons accused or convicted of an offense;

(3) Persons in the military service of the state or of the United States;

(4) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the weapon is necessary for manufacture, transport, installation, and testing under the requirements of such contract;

(5) District attorneys, investigators employed by and assigned to a district attorney's office, assistant district attorneys, attorneys or investigators employed by the Prosecuting Attorneys' Council of the State of Georgia, and any retired district attorney, assistant district attorney, district attorneys investigator, or attorney or investigator retired from the Prosecuting Attorneys' Council of the State of Georgia, if such employee is retired in good standing and is receiving benefits under Title 47 or is retired in good standing and receiving benefits from a county or municipal retirement system;

(6) State court solicitors-general; investigators employed by and assigned to a state court solicitor-general's office; assistant state court solicitors-general; the corresponding personnel of any city court expressly continued in existence as a city court pursuant to Article VI, Section X, Paragraph I, subparagraph (5) of the Constitution; and the corresponding personnel of any civil court expressly continued as a civil court pursuant to said provision of the Constitution;

(7) Those employees of the State Board of Pardons and Paroles when specifically designated and authorized in writing by the members of the State Board of Pardons and Paroles to carry a weapon;

(8) The Attorney General and those members of his or her staff whom he or she specifically authorizes in writing to carry a weapon;

(9) Chief probation officers, probation officers, intensive probation officers, and surveillance officers employed by and under the authority of the Department of Corrections pursuant to Article 2 of Chapter 8 of Title 42, known as the 'State-wide Probation Act,' when specifically designated and authorized in writing by the director of Division of Probation;

(10) Public safety directors of municipal corporations;

(11) Explosive ordnance disposal technicians, as such term is defined by Code Section 16-7-80, and persons certified as provided in Code Section 35-8-13 to handle animals trained to detect explosives, while in the performance of their duties;

(12) State and federal trial and appellate judges, full-time and permanent part-time judges of municipal and city courts, and former state trial and appellate judges retired from their respective offices under state retirement;

(13) United States Attorneys and Assistant United States Attorneys;

(14) County medical examiners and coroners and their sworn officers employed by county government; ~~and~~

(15) Clerks of the superior courts; and

64 **SECTION 2.**

65 This Act shall become effective upon its approval by the Governor or upon its becoming law

66 without such approval.

68 All laws and parts of laws in conflict with this Act are repealed.